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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,909	04/05/2004	Marcus Dill	13906-196001 / 2004P00240	2650
32864 7590 12/12/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HARPER, LEON JONATHAN	
			ART UNIT 2166	PAPER NUMBER
			MAIL DATE 12/12/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/816,909

Applicant(s)

DILL ET AL.

Examiner

Leon J. Harper.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-14, 17-28 and 31-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-14, 17-28 and 31-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 4/5/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to communications: Pre-brief Conference Request filed 9/10//2007 to the original application filed 4/5/2004. Claims 1,3-14, 17-28, 31-34 are pending in this office action. Claims 1,7,14,28,34 are independent claims. In view of the Notice of appeal filed on 2/2/007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection s set forth below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1,3-14, 17-28,31-34 are rejected under 35 U.S.C. 102(e) as being anticipated by US 20030115192 (hereinafter Kil)

As for claim 1 Kil discloses: a process list display configured to:

Display identifications of data analysis process (Figure 2 item 265), and

Receive user input selecting an entry of an identification of a data analysis process (See figure 3 note: natural language selection: also see figure 3 note: user refinements; also see paragraph 0017); and

A data analysis display configured to:

Display representations of sub-processes included in the data analysis process identified by the selected entry, the displayed representations of sub-processes including:

A representation of a data mining sub-process for creating a data attribute by performing an analytical process on data from an analytical processing data source (See figure 2 ),

A representation of at least one of (1) an extraction sub-process for extracting data from a first transactional data source, (2) a transformation sub-process for transforming the extracted data from a data format used by the first transactional data source to a data format used for analytical processing, and (3) a loading sub-process for loading data into analytical processing data source, and a representation of a deployment sub-process for storing the created data attribute in one of the first transactional data source, a second transactional data source other than the first transactional data source or a second analytical data source used for analytical processing, and

Display connections between the displayed sub-process, the connections indicating a sequence with which the displayed sub-process are performed when performing the data analysis process (See figure 8, and paragraphs 0017 and 0018).

As for claim 3, the rejection of claim 1 is incorporated, and further Kil discloses: wherein each type of the sub-processes displayed in the data analysis process display is represented by a different shape than shapes representing other types of sub-processes displayed in the analysis sub-process display (See figures 8,9 and paragraph 0087).

As for claim 4, the rejection of claim 1 is incorporated, and further Kil discloses: wherein the graphical user interface further comprises controls configured to add types of sub-processes to the data analysis process displayed in the data analysis display (See figures 1-3 and paragraph 0085).

As for claim 5, the rejection of claim 4 is incorporated, and further Kil discloses: wherein the controls comprise one or more of a control for configured to add an extraction sub-process, a control for configured to add a load sub-process, a control for adding an analysis sub-process, and a control configured to add a deployment sub-process (See paragraph 81).

As for claim 6, the rejection of claim 1 is incorporated and further Kil discloses:

wherein the graphical user interface further comprises a control for configured to display information about status of the data analysis process (See paragraph 000087).

Claim 7 is a computer program product substantially corresponding to claim 1 and is thus rejected for the same reasons as claim 1.

As for claim 8, the rejection of claim 7 is incorporated, and further Kil discloses: wherein: the data source is a transactional data source, and the deployment sub-process stores the created data attribute in the transactional data source (See paragraph 0082).

As for claim 9, the rejection of claim 8 is incorporated, and further Kil discloses: wherein the deployment sub-process stores the created data attribute in one of the data source, a second transactional data store other than the transactional data source, or a second analytical data store other than the analytical data used for the data mining sub-process (See paragraph 0090).

As for claim 10, the rejection of claim 7 is incorporated, and further Kil discloses: wherein graphical user interface is configured to receive user input defining how a particular error is to be processed during the data analysis process (See paragraph 0080).

As for claim 11, the rejection of claim 7 is incorporated, and further Kil discloses: wherein the graphical user interface is configured to receive user input identifying a computing device or a component of a computing device to be used during the execution of one of the identified sub-processes (See paragraph 0080).

As for claim 12, the rejection of claim 7 is incorporated, and further Kil discloses: wherein the graphical user interface is configured to receive user input identifying an order in which each of the identified sub-processes are to be performed when performing the data analysis process (See paragraph 0081).

As for claim 13, the rejection of claim 7 is incorporated, and further Kil discloses: wherein the graphical user interface is configured to receive user input identifying when the data analysis process is to be initiated (See paragraph 0079-0084).

Claim 14 is method claims comprising substantially the same limitations as claim 7 and is thus rejected for the same reasons as claim 7.

As for claim 17, the rejection of claim 14 is incorporated, and further Kil discloses: wherein one of the sub-process inputs comprises a sub-process user input identifying a computer program that causes the identified sub-process to be performed (See paragraph 0080).

As for claim 18, the rejection of claim 14 is incorporated, and further Kil discloses: receiving user inputs of meta-data elements to be used in the data analysis process wherein each meta-data element is associated with 1) a corresponding data element in the first transactional data source, 2) a corresponding data element in the analytical processing data source, or 3) both a corresponding data element in one of the first and second transactional data sources and a corresponding data element in the analytical processing data source (see paragraph 0078 ).

As for claim 19, the rejection of claim 14 is incorporated, and further Kil discloses: wherein each of the multiple sub-processes use a common message format (See paragraph 0090).

As for claim 20, the rejection of claim 14 is incorporated, and further Kil discloses receiving user input defining how a particular error is to be processed during the data analysis process (See paragraph 0080).

As for claim 21, the rejection of claim 14 is incorporated, and further Kil discloses: receiving user input identifying a computing device or a component of a computing device to be used during the execution of one of the multiple sub-processes (See paragraph 0080).



As for claim 22, the rejection of claim 14 is incorporated, and further Kil discloses: receiving user input identifying an order in which the multiple sub-processes are to be performed when performing the data analysis process (See paragraph 0080).

As for claim 23, the rejection of claim 14 is incorporated, and further Kil discloses: comprising receiving user input identifying when the data analysis process is to be initiated (See paragraph 0080).

As for claim 24, the rejection of claim 14 is incorporated, and further Kil discloses: wherein a deployment sub-process comprises a first deployment sub-process for storing a data attribute created in another of the identified sub-processes in a first data store and the multiple identified sub-process further include a second deployment sub-process for storing the data attribute in a second data store (See paragraph 0090).

As for claim 25, the rejection of claim 24 is incorporated, and further Kil discloses: wherein the first data store is the same as the second data store (See paragraph 0073).

As for claim 26, the rejection of claim 24 is incorporated, and further Kil discloses: wherein the first data store is different from the second data store (See paragraph 0073 note: the data stores or databases do not have to be the same).

As for claim 27, the rejection of claim 26 is incorporated, and further Kil discloses: wherein the first data store comprises a transactional data store and the second data store comprises an analytical data store (See paragraph 0072).

Claims 28-32 are computer program product claims corresponding to the computer implemented method of claims 14-18 respectively and are thus rejected for the same reasons as claims 14-18.

As for claim 33, the rejection of claim 28 is incorporated, and further Kil discloses: wherein the at least one of the identified sub-processes is a deployment sub-process comprises a first deployment sub-process for storing a data attribute created in another of the identified sub-processes in a first data store and a second deployment sub-process for storing the data attribute in a second data store (See paragraph 0089).

Claim 34 is a system claim corresponding to the method of claim 14 and is thus rejected for the same reasons as claim 14.


### Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH  
Leon J. Harper  
December 9, 2007

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER